

REMARKS

Claims 1-54 are pending. Claims 1, 3, 7, 14, 16, 20, 27, 29, 31, 38, 42, 48, 50, 52 and 54 have been amended. No new matter has been introduced. Reexamination and reconsideration of this application is respectfully requested.

In the February 4, 2004 Office Action, the Examiner rejected claims 1-54 under 35 U.S.C. 112, second paragraph as being indefinite. Claims 1, 2-6, 8-19, 21-27, 29-30, 32, 34-37 and 48-50 are rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,229,430 to Dewey ("the Dewey reference"). Claims 2, 28, 49, and 51 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dewey in view of the Examiner's official notice. Claims 52-54 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dewey in view of U.S. Patent No. 5,832,067 to Herold ("the Herold reference"). The Examiner noted that claims 7, 20, 31, and 38-47 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph and include all limitations of the base claim and any intervening claims. These rejections and objection are respectfully traversed.

Embodiments of the present invention are directed to a system and method for adjusting an alarm/reminder activation time that takes into account a user-requested alarm/reminder time and unexpected conditions that are unknown to the user, or are realized after the user has entered the user-requested alarm time. User-related information is used to gather present unexpected condition information relevant to the user from a content provider. Based on user related and configuration information and the unexpected condition information, an adjusted alarm time is determined

periodically. An alarm signal is activated when the actual time reaches the adjusted alarm time. Claim 1, as amended, recites: A method for providing an adjustable alarm system, the method comprising:

receiving user related and configuration information, the user related information *including a user-requested alarm time and user login information*, the user login information allowing retrieval of the user-requested alarm time;

connecting to a content provider to gather present unexpected condition information relevant to the user;

determining an adjusted alarm time, wherein the adjusted alarm time factors in the user related and configuration information and the unexpected condition information; and

providing an alarm signal when the actual time reaches the adjusted alarm time.

The Examiner rejected claims 1-54 under 35 U.S.C. 112, second paragraph stating “[i]t is not clear that if the user related information is provided, [but] not the user login information ..., how can the user-request time be allowed to be retrieved. Further the user-requested time lacks antecedent basis. Perhaps it should read “the user-requested alarm time.” The independent claims have been amended to recite that both a user requested alarm time and a user login information are included, and thus the user-requested alarm time can be retrieved. Furthermore, the term “user-request time” has been amended to “user-requested alarm time” per the Examiner’s suggestion. Thus, Applicant requests that the Examiner withdraw the rejections based on 35 U.S.C. 112, second paragraph.

The Dewey reference is directed to an alert system comprising an input for setting alarm conditions and an interface for coupling to a communication network to obtain alarm data from a data source. A processor evaluates alarm data and generates an alarm signal in response to the evaluation. The alarm signal may be based on information such as traffic or weather.

The Dewey reference does not disclose, teach, or suggest a method of adjusting an alarm system including the step of receiving user related and configuration information, the user related information *including a user-requested alarm time and user login information*, the user login information allowing retrieval of the user-requested alarm time. Specifically, the Dewey reference does not disclose receiving a user login information which is used to retrieve the user-requested alarm time. Thus, Applicant believes that claim 1, as amended, distinguishes over the Dewey reference and is allowable.

Furthermore, the Herold reference does not make up for the deficiencies of Dewey. The Herold reference does not teach suggest or disclose receiving a user login information which is used to retrieve a user-requested alarm time. Thus, Applicant believes that claim 1, as amended, distinguishes over all the cited art and is allowable.

The Examiner stated that claims 7, 20, 31, would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims, so long as the rewritten claims also overcame the rejection under 35 U.S.C.

112, second paragraph. Such claims have been rewritten accordingly and are believed to be allowable.

The Examiner stated that claims 38-47 would be allowable if amended to overcome the rejection under 35 U.S.C. 112, second paragraph. Such claims have been amended accordingly and are believed to be allowable.

Claims 14, 27, 48, and 52 all recite limitations similar to independent claim 1 as amended, and thus Applicant requests that the rejections of such claims be withdrawn for the same reasons as for claim 1. Claims 2-6 and 8-13 all depend directly or indirectly from independent claim 1, and thus Applicants request that the rejections of these claims be withdrawn for the same reasons as for claim 1. Claims 15 -19 and 21-26 all depend directly or indirectly from independent claim 14, and thus Applicants request that the rejections of these claims be withdrawn for the same reasons as for claim 14. Claims 28-30 And 32-37 all depend directly or indirectly from independent claim 27, and thus Applicants request that the rejections of these claims be withdrawn for the same reasons as for claim 27. Claims 49-51 all depend directly or indirectly from independent claim 48, and thus Applicants request that the rejections of these claims be withdrawn for the same reasons as for claim 48. Claims 53-54 all depend directly or indirectly from independent claim 52, and thus Applicants request that the rejections of these claims be withdrawn for the same reasons as for claim 52.

Applicants believe that the foregoing amendments place the application in condition for allowance, and a favorable action is respectfully requested. If for any

reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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